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Attorneys for Debtor,  
Evander Frank Kane

**UNITED STATES BANKRUPTCY COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN JOSE DIVISION**

In re  
EVANDER FRANK KANE,  
Debtor.

Case No. 21-50028-SLJ  
Chapter 7

**DECLARATION OF STEPHEN D.  
FINESTONE IN SUPPORT OF  
DEBTOR'S OPPOSITION TO  
CENTENNIAL BANK'S MOTION TO  
DISMISS CASE AS A BAD FAITH  
FILING PURSUANT TO SECTION  
707(A)<sup>1</sup>**

Hearing:

Date: October 5, 2021

Time: 2:00 p.m. Pacific Prevailing Time

Place: Tele/Videoconference

**Remote appearances only.**

*Please check [www.canb.uscourts.gov](http://www.canb.uscourts.gov) for  
information regarding the Court's operations  
due to the COVID-19 pandemic.*

I, Stephen D. Finestone, declare as follows:

1. I am admitted to practice law in the State of California and before this Court. I am  
a partner in Finestone Hayes LLP, attorneys of record for Evander F. Kane ("Kane" or

<sup>1</sup> Unless specified otherwise, all chapter and code references are to the Bankruptcy Code,  
11 U.S.C. §§ 101–1532. "Bankruptcy Rule" references are to the Federal Rules of Bankruptcy  
Procedure and "B.L.R." references are to the Bankruptcy Local Rules for the Northern District of  
California. "ECF" references are to the docket in the above-captioned proceeding.

1 “Debtor”). I make this declaration in support of Debtor’s Opposition to Centennial Bank’s  
2 Motion to Dismiss Case as a Bad Faith Filing Pursuant to Section 707(a) (the “Motion”). If  
3 called as a witness, I could and would testify competently to the matters set forth below.

4 2. Kane continues to cooperate with the Trustee and his counsel to fulfill his  
5 obligations under the Bankruptcy Code and recover assets for the estate.

6 3. Kane recently provided additional documents to the Trustee to enable him to  
7 recover a rebate of a transfer tax paid pre-petition. He is also cooperating with the Trustee in  
8 additional efforts to recover additional assets for the estate.

9 4. I am advised that the Trustee’s counsel has uploaded orders approving the  
10 Trustee’s sale of Kane’s home and approving Kane’s settlement with the estate concerning his  
11 pre-petition bank accounts and his real property in Vancouver, Canada.

12 I declare under penalty of perjury that the foregoing is true and correct. Executed this 21<sup>st</sup>  
13 day of September, 2021 in San Francisco, California.

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16 /s/ Stephen D. Finestone  
Stephen D. Finestone  
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